

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 7853 of 2000

For Approval and Signature:

Hon'ble MR.JUSTICE D.H.WAGHELA

- =====
1. Whether Reporters of Local Papers may be allowed : NO
to see the judgements?
 2. To be referred to the Reporter or not? : NO
 3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?
 4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the Civil Judge? : NO

G S R T CORPN

Versus

MR ADHARIYA

C/O JS BRAHMBHTT

Appearance:

MR HARDIK C RAWAL for Petitioner

MR JS BRAHMBHATT for Respondent No. 1

CORAM : MR.JUSTICE D.H.WAGHELA

Date of decision: 28/09/2000

ORAL JUDGEMENT

#. The petitioner, State Road Transport Corporation, challenges the award of the Industrial Tribunal Ahmedabad in Ref. (IT) No.50 of 1995 whereby, deciding the dispute within the terms of reference, the order of punishment made by the petitioner is set aside.

#. After appreciation of the evidence on record and consideration of the contentions of the petitioner the tribunal has, in the impugned award, arrived at a conclusion that the finding of the enquiry conducted against the respondent was perverse and based upon conjectures and surmises. It is, therefore, held that the order of punishment was illegal and improper. No case is made out to interfere either with the finding of fact or the necessary conclusion reached by the Industrial Tribunal. Therefore, the petition having no substance it is dismissed. Rule is discharged. Ad interim relief is vacated.

kks